

REMARKS

1. Applicant thanks the Examiner for his findings and conclusions.
2. It should be appreciated that Applicant has elected to amend Claims 1-8 solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.
3. The specification is amended at paragraphs 0005 and 0010 to correct a typographical error.
4. The specification is amended at paragraph 0013 to further clarify "skin" used in a display by incorporating definitions of "skin" provided in two current online dictionaries. The amendment characterizes "skin" as an element of a graphical user interface that can be changed to alter the look of the interface without affecting its functionality. Skins can give an interface an entirely different look than what it originally came with. Skins are used to change the look and feel of a web browser, altering the appearance and/or location of buttons, providing background images or borders that did not originally come with the browser, changing the colors and/or other graphic elements, or even changing the shape of the browser window.

Support is provided at the definition of "skin" on two online dictionaries at:

<http://www.webopedia.com/TERM/S/skin.html>; and

<http://www.answers.com/topic/skin-technology?method=6>

The, respective, definitions from the two online dictionaries are provided hereinafter:

skin

An element of a graphical user interface that can be changed to alter the look of the interface without affecting its functionality. Skins can give an interface an entirely different look than what it originally came with.

Skins are often used to change the look and feel of a web browser, altering the appearance and/or location of buttons, providing background images or borders that did not originally come with the browser, changing the colors and/or other graphic elements, or even changing the shape of the browser window.

skin

A particular look of a graphical user interface (GUI). For example, Windows enables developers to create an entirely different look for the window frames, scroll bars, buttons and elements on the Windows interface.

A person having ordinary skill in the art will understand the two above provided definitions of skin. Accordingly, no new matter is added by way of amendment to the specification.

5. The abstract of the disclosure stands objected to under MPEP § 608.01(b) as being unclear. Responsive thereto, Applicant has amended the abstract to remedy the defects that render the abstract unclear. Accordingly, the objection under MPEP § 608.01(b) is deemed to be overcome.

6. Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Responsive thereto, applicant has amended claim 1 to clarify that at least one of an internet service provider, a server, or a sponsor are providing steps (a)-(d) and step (g) and are receiving in steps (e) and (f). Support is found at least in paragraph 0008, lines 1-4; paragraph 0008, lines 6-8; paragraph 0011, lines 5-12; paragraph 0012, lines 14-17; and Figure 1. Accordingly, the rejection under 35 U.S.C. § 112, second paragraph is deemed to be overcome.

7. The Examiner notes that claim 1 recites a limitation of "the server" with insufficient antecedent basis. The Examiner did not object to this limitation. Even if the Examiner did object under 35 U.S.C. § 112, second paragraph, the aforementioned amendment to claim 1 incorporates the language a server thereby providing proper antecedent language to "the server". Accordingly, even if a 35 U.S.C. § 112 second paragraph objection were made, the objection is deemed to be overcome.

8. Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Alles et. al.* (U.S. patent no. 6,425,010). The Examiner states:

However, the feature of Internet applications taking on a look and feel of a selected sponsor of the free service is old and well-known in the art as admitted by the applicant in the "Background" section on page 1 of the disclosure, paragraph [0002] line 6-10.

Applicant respectively disagrees with the Examiner's characterization of the aforementioned admission. Paragraph 0002 characterizes advertisers using advertisements that appear on a Web page, typically in the form of a banner. No admission of a feature of Internet applications taking on the look and feel of a selected sponsor is made.

As to Claims 1-4, *Alles et. al.* (U.S. patent no 6,425, 010), hereinafter "*Alles*", makes no mention of an Internet application taking on the look and feel of a selected sponsor. Claim 1 characterizes the Internet application selected by said user as taking on a look and feel of the selected sponsor. Because neither *Alles* nor paragraph 0002 of the present invention teach the limitation of an Internet application that takes on a look and feel of the selected sponsor, the combination of *Alles* and paragraph 0002 can not teach all of the limitations of Claim 1. Accordingly, the 35 U.S.C. § 103(a) rejection of Claim 1 and all claims depending therefrom is deemed to be improper.

Despite the above distinctions, to distinguish the claimed invention from the cited reference more thoroughly, Applicant amends Claim 1 to describe the

look and feel to comprise a skin of the selected sponsor. Support for this is found in the specification in at least paragraph 0013, lines 1-7. In stark contrast to a banner advertisement, as discussed *infra*, a skin comprises a look of a graphical user interface, wherein said look comprises any of altering the appearance and/or location of buttons, providing background images or borders, changing colors of other graphic elements, windows frames, scroll bars, buttons, elements, and/or the shape of the browser window. Changing the skin creates an entirely new look of the Website or application of the sponsor. Thus the look and feel of a selected sponsor displayed with a skin is distinct from a banner advertisement. Accordingly, the rejection of Claim 1 under 35 U.S.C. § 103(a) and the rejection of all claims depending therefrom is deemed to be overcome.

9. Claims 5-8 stand rejected under 35 U.S.C. § 103 as being unpatentable over Alles *et. al.* (U.S. patent no.6,425,010) in view of Urera (U.S. patent publication no. 2002/0078059, hereinafter Urera).

As to Claims 5 and 6, Alles, makes no mention of an Internet application taking on the look and feel of a selected sponsor. Urera makes no mention of an Internet application taking on the look and feel of a selected sponsor. In stark contrast, Claim 1 of the present invention describes the internet application as taking on the look and feel of the selected sponsor. Because neither Alles nor Urera teach the Claim 1 limitation of the internet application taking on the look and feel of the selected sponsor, the combination of Alles and Urera under 35 U.S.C. § 103(a) can not teach all of the limitations of Claim 1. Claims 5 and 6 depend directly and indirectly from Claim 1, respectively. Accordingly, the rejection under 35 U.S.C. § 103(a) of Claim 5 and all claims depending therefrom is deemed to be improper.

As to Claims 7 and 8, no description of a rejection under 35 U.S.C. § 103 is made by the Examiner. As such, the rejection fails to point out any sections of either Alles or Urera that are relevant to Claims 7 and 8. Accordingly, the rejection under 35 U.S.C. § 103(a) of Claims 6 and 7 is deemed to be improper.

In view of the above amendments to parent Claim 1, the current rejection is rendered moot.

10. Claims 2-8 have all been amended to harmonize with standard claim drafting practices.

11. Claims 6 and 7 have both been amended to harmonize them with their antecedent language.

12. Claim 2 has been amended to correct a grammatical error.

13. New claims 9-15 are added to the Application. Support for new Claim 9 is found at least in paragraph 0012 and in original Claim 1. Support for the new Claims 10-14 is found in original Claim 1 and in the specification at paragraph 0013. Support for new Claim 15 is found in original Claim 1 and in paragraph 0005. No new matter was added by way of the new claims.

CONCLUSION

In view of the above, this application is deemed to be in allowable condition. The Examiner is therefore earnestly requested to withdraw all outstanding rejections and objections, allowing the application to pass to issue as a United States Patent. The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 07-1445. Should the Examiner have any questions regarding the application, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,



Michael A. Glenn

Reg No. 30,176

Customer No. 22,862